

millions of seniors, and the very survival of our free market health care system.

Mr. Speaker, Despite the very best efforts of House Republican leadership, I rise to oppose the prescription drug bill that will be considered before Congress this week. It would in fact represent the largest expansion of Medicare in 35 years.

As Nancy-Ann DeParle, President Clinton's Medicare administrator, said, this would be "the biggest expansion of government health benefits since the Great Society." With an annual federal deficit of more than \$400 billion, I will support the creation of a national prescription drug plan only if it's fiscally responsible and includes free market Medicare reform measures.

Only by significantly reforming Medicare along the lines the President originally intended can we afford to meet future obligations, including a prescription drug benefit.

Of course, there are seniors near the poverty level who need immediate help with the cost of prescription drugs. As I have witnessed in more than 100 town hall meetings across eastern Indiana, the necessity of some prescription assistance for seniors near the poverty level is beyond dispute.

Statistics show that nearly 24 percent of seniors have no prescription drug coverage and approximately 5 percent of seniors have out-of-pocket prescription costs of more than \$4,000 per year. For these seniors, our national government should respond with a drug discount card or some form of means-tested direct subsidy. I have and will continue to support efforts at the national level to focus prescription assistance on seniors struggling near the poverty level.

Sadly, the prescription drug plan currently being advanced in the House and Senate lacks such focus and actually would create a universal drug benefit that provides a government entitlement for every American over the age of 65, a population of some 37 million today that will grow to 70 million by the year 2030.

While the need for some type of benefit is real, the need for a universal benefit is not. At present, 76 percent of seniors have some form of prescription drug coverage, and the average senior spends less than \$999 per year in out-of-pocket expenses on medications.

Not only is the need for a universal public subsidy questionable, adding a universal drug benefit to Medicare may have certain unintended consequences. Namely, seniors with private coverage from a former employer may actually lose their coverage. The Congressional Budget Office recently estimated that thousands of seniors could lose coverage they currently enjoy from a former employer if Congress creates this new entitlement.

The final, and most ominous, consequence of a universal drug benefit could be that it will usher in the beginning of socialized medicine in America. This type of system, which is built on unrealistic fiscal projections and incorrect assumptions about human behavior, will invariably lead to the kinds of escalating costs for which price controls and outright government management will be seen as the last resort. The consequences of such a government expansion are moral as well. In a society that sanctions the abortion of unborn human life and is increasingly open to euthanasia and

physician-assisted suicide, our values and our freedoms would argue against turning the health of the American people over to the federal government.

Compassionate conservatism is about focusing solutions at the point of the need. Let's help our seniors near the poverty level with urgent and sufficient prescription coverage. Let's reform Medicare so it will be there for the future without placing an undue burden on our children and grandchildren. And let's otherwise "do no harm" to the private sector foundation of the greatest healthcare system in the history of the world.

For all these reasons, I oppose a universal drug benefit in Medicare. By agreeing to a prescription benefit for all seniors rather than those in need, Congress threatens our nation's fiscal stability, the private prescription plans millions of seniors and the survival of our free market healthcare system.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a), rule I, the House stands in recess until 11 a.m. today.

Accordingly (at 10 o'clock and 50 minutes a.m.) the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 11 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God of heaven and Earth, the sacred scriptures tell us that You do not have favorites, but that anyone of any nationality who fears You and chooses what is right is acceptable to You.

Yet there is a patriotic sense surrounding this place today where we pray. Here patriotism has formulated affection and faithfulness in these United States. Here the American people claim an astounding history and build upon a constitutional foundation. The Capitol forms bonds of devotion and loyalty among Your people and proudly represents this land of the free and home of the brave.

Be with the Members of the House of Representatives today as they pass laws and determine public policy for this Nation. Guide them now as You have in the past because it is in You, O God, we place our trust, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. JACKSON-LEE of Texas. Madam Speaker, pursuant to clause 1, rule I, I

demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. JACKSON-LEE of Texas. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. LORETTA SANCHEZ) come forward and lead the House in the Pledge of Allegiance.

Ms. LORETTA SANCHEZ led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the bill on the Private Calendar.

RAILROAD RIGHT-OF-WAY CONVEYANCE VALIDATION ACT OF 2003

The Clerk called the bill (H.R. 1658) to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway, and for other purposes.

There being no objection, the Clerk read the bill as follows:

H.R. 1658

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Railroad Right-of-Way Conveyance Validation Act of 2003".

SEC. 2. VALIDATION OF ADDITIONAL RAILROAD CONVEYANCES, SAN JOAQUIN COUNTY, CALIFORNIA.

Section 4 of the Railroad Right-of-Way Conveyance Validation Act (Private Law 103-2; 108 Stat. 5061) is amended by adding at the end the following new paragraphs:

"(9) The conveyance entered into between the Central Pacific Railway Company and the Southern Pacific Transportation Company and the Bank of America, as trustee of the last will and testament of Aaron Herschel, recorded September 27, 1945, in volume 942 at page 104 of the official records of the county of San Joaquin.

"(10) The conveyance entered into between the Central Pacific Railway Company and the Southern Pacific Transportation Company and the Tri-Valley Packing Association, recorded November 13, 1957, in volume

2016 at page 149 of the official records of the county of San Joaquin."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

HONORING GUS CASTELLANOS, HOST OF "THIS WEEK IN GARDEN GROVE"

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to honor Gus Castellanos, creator, executive producer, and host of "This Week in Garden Grove," a TV news show that is in my district of Garden Grove, California.

In 1985, Gus began working at Channel 3, a local TV station, when city officials decided to start a local cable show. When no one volunteered for the project, Gus happily stepped up to the task. Learning the ins and outs of running a cable news show, Gus quickly crafted a program that would highlight the achievements of the people and city of Garden Grove. In the 10 years the show has been running, Gus has endeared himself to thousands in our community as nearly half the city tunes in each week to his show.

I want to congratulate everyone involved on the 10th anniversary of "This Week in Garden Grove." But I especially want to thank Gus, who has always been a friend and who has shown that one person can take the initiative to create something that makes an incredibly positive contribution to a community.

HOUSE TO CONSIDER ENERGY BILL

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, here it is, the long-awaited, secretly negotiated energy bill, a bill carefully designed to perpetuate our dependence on foreign oil, brokered by national, international, multinational conglomerates which will be subsidized to the tune of \$25 billion by United States taxpayers; the Enron provision to repeal the Public Utility Holding Company Act, guaranteeing a new round of mergers, speculation and rip-offs of electric consumers.

I can see only one benefit in this bill. It is huge, it is heavy, it is made of paper. If we take and send a copy to every American taxpayer and consumer, they can throw it in the wood stove or the fireplace and get a little bit of warmth, but that will be the only benefit they get out of this legislation.

WELCOMING TRADE MINISTERS TO MEETING OF FREE TRADE AREA OF THE AMERICAS

(Mr. SHAW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAW. Madam Speaker, as chairman of the Florida congressional delegation, I welcome trade ministers from 34 democratic countries to Miami, Florida, for the latest ministerial meeting of the Free Trade Area of the Americas currently under way. Scheduled for completion in 2005, the FTAA would represent the largest free trade area in the world, encompassing these 34 nations with a combined population of 800 million people. The FTAA will be a linchpin to economic growth, spurring trade and investment to the benefit of United States businesses, labor and consumers alike.

In addition, I urge the selection of Miami as the permanent home of the FTAA secretariat. The Florida delegation remains committed to ensuring an FTAA secretariat in Miami because of the city's rich cultural and business ties to Latin America. In fact, this House in April of 2000 voted unanimously in support of Miami's designation. With three international airports and three seaports, Miami is truly the gateway to the Americas. In fact, Enterprise Florida has estimated the creation of 90,000 new jobs and an increase of \$13.6 billion annually to Florida's gross State product.

Again, I welcome the international community to south Florida, and remain mindful that trade alone is only part of the FTAA equation. The principles underlying a commitment to free trade are the same principles that foster free societies.

International trade is more than just the exchange of goods and services. It is the economic fabric that ties together like-minded Democratic governments and societies.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2754, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2004

Mr. REYNOLDS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 444 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 444

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2754) making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gen-

tleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Madam Speaker, House Resolution 444 is a standard rule that provides for consideration of the conference report to accompany H.R. 2754, the Energy and Water Development Appropriations Act for the fiscal year ending September 30, 2004. The rule waives all points of order against the conference report and against its consideration. The rule also provides that the conference report will be considered as read.

Madam Speaker, the underlying conference report is the result of hard work and compromise by the energy and water appropriations conference committee. The conference report suggests a strong civil works program with the Army Corps of Engineers. By concentrating \$4.5 billion on the traditional tasks such as flood control, shoreline protection, and navigation, which yield the most economic benefit for the Nation, the bill ensures the highest possible return on taxpayer investment.

Within the agreement, the Department of Energy is provided with \$22 billion. Included in that funding is nearly \$350 million for renewable energy programs and \$393 million for nuclear energy programs. Specific programs funded within the Department are the nuclear energy research initiative of \$11.6 million, \$6.5 million for the nuclear hydrogen initiative, and \$68 million for the advanced fuel cycle initiative. Adequate and needed funding is provided for science programs within the Department, including high-energy physics, nuclear physics, biological and environmental research, fusion energy research, and advanced scientific computing research.

The nuclear waste program continues to be one of our highest environmental priorities and one that is of particular importance to my region. I am also pleased that the conference report provides a total of \$580 million for nuclear waste disposal. Additionally, \$7.6 billion is provided for environmental management cleanup activities, continuing the strong commitment to accelerate cleanup schedules at contaminated sites throughout the country.

□ 1115

This funding is vital in reducing public health and safety risks. The conference report also provides \$8.7 billion for the National Nuclear Security Administration, which includes the nuclear weapons program, defense nuclear nonproliferation, and Naval reactors.

In closing, Madam Speaker, I would like to commend the gentleman from Ohio (Chairman HOBSON) and all of the distinguished conferees on both sides of the aisle for their hard work and dedication to our Nation's energy and